

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:09-HC-2118-D

UNITED STATES OF AMERICA,)
)
 Petitioner,)
)
 v.)
)
THOMAS BLACKLEDGE,)
)
 Respondent.)

ORDER

The United States (“petitioner”) seeks to civilly commit Thomas Blackledge (“Blackledge” or “respondent”) as a “sexually dangerous person” under the Adam Walsh Child Protection and Safety Act of 2006 (“Adam Walsh Act”), codified at 18 U.S.C. §§ 4247–4248. Pursuant to the Adam Walsh Act, after a hearing, if the court finds by clear and convincing evidence that a person is a “sexually dangerous person,” the court must commit the person to the custody of the Attorney General. *Id.* § 4248(d). A “sexually dangerous person” is one “who has engaged or attempted to engage in sexually violent conduct or child molestation and who is sexually dangerous to others . . .” *Id.* § 4247(a)(5). A person is considered “sexually dangerous to others” if “the person suffers from a serious mental illness, abnormality, or disorder as a result of which he would have serious difficulty in refraining from sexually violent conduct or child molestation if released.” *Id.* § 4247(a)(6).

To obtain a commitment order against Blackledge, the government must establish three facts by clear and convincing evidence: (1) that Blackledge “has engaged or attempted to engage in . . . child molestation,” *id.* § 4247(a)(5); (2) that Blackledge currently “suffers from a serious mental

illness, abnormality, or disorder”; and (3) as a result of the serious mental illness, abnormality, or disorder, that Blackledge “would have serious difficulty in refraining from . . . child molestation if released.” Id. § 4247(a)(6); see United States v. Francis, No. 12-1205, 2012 WL 2877668, at *7 (4th Cir. July 16, 2012); United States v. Hall, 664 F.3d 456, 461 (4th Cir. 2012); United States v. Comstock, 627 F.3d 513, 515–16 (4th Cir. 2010), cert. denied, 131 S. Ct. 3026 (2011).

On August 2, 2012, the court held a bench trial. On August 10, 2012, the court announced its findings and conclusions from the bench. The transcript is incorporated herein by reference. The court finds by clear and convincing evidence that Blackledge is a sexually dangerous person under the Adam Walsh Act. Thus, Blackledge is hereby committed to the custody and care of the Attorney General pursuant to 18 U.S.C. § 4248.

SO ORDERED. This 10 day of August 2012.


JAMES C. DEVER III
Chief United States District Judge